

Practitioner's Docket No. 17396/09015

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Maurice De Billot, et al.

Confirmation No.: 8087

Application No.: 10/026,301

Group No.: 1616

Filed: 12/19/2001

Examiner: Alton N. Pryor

For: METHOD OF IMPROVING YIELD AND
VIGOR OF PLANTS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION AND FEE FOR EXTENSION OF TIME (37 C.F.R. § 1.136(a))

1. This is a petition for an extension of the time for a total period of one (1) month to file a response to the Office Action mailed October 5, 2007.
2. A response in connection with the matter for which this extension is requested is filed herewith.
3. Applicant is other than a small entity.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

■ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

■ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"

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TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

Signature

Mim Voet

(type or print name of person certifying)

Date: November 15, 2007

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

11/20/2007 SSESHE1 00000007 10026301 120.00 00
01 FC:1251

4. Calculation of extension fee (37 C.F.R. § 1.17(a)(1)-(5)):

Extension (months)	Fee for other than <u>small entity</u>
One (1) month	\$120.00

Fee: \$120.00

5. If an additional extension of time is required, please consider this a petition therefor.

Extension fee due with this request \$120.00

6. Extended period for response

Based on the extension requested in this petition (and that for which a previous petition has been filed, if any), the extended period for response will expire on December 5, 2007.

7. Fee Payment

Attached is a check in the amount of \$120.00.

Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 50-2548.

A duplicate copy of this paper is attached.

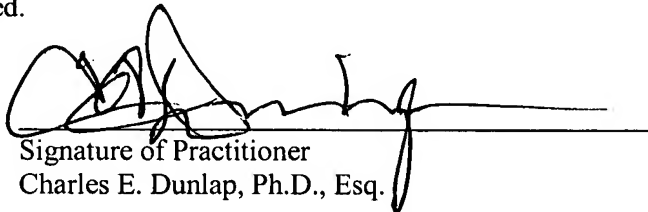
Date: November 15, 2007

Reg. No.: 35,124

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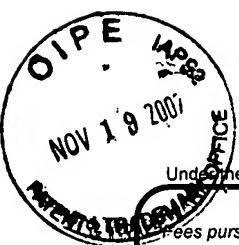
Fax No.: 803-255-9831

Customer No.: 45850



Signature of Practitioner
Charles E. Dunlap, Ph.D., Esq.

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PTO/SF/17 (10-07)

Approved for use through 06/30/2010. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2008☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 120.00**Complete if Known**

Application Number	10/026,301 Conf. No. 8087
Filing Date	December 19, 2001
First Named Inventor	Maurice R. De Billot et al.
Examiner Name	Alton N. Pryor
Art Unit	1616
Attorney Docket No.	17396/09015

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
☒ Deposit Account Deposit Account Number: 50-2548 Deposit Account Name: Nelson Mullins Riley & Scarborough, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	210	105
Multiple dependent claims	370	185

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
				Fee (\$)	Fee Paid (\$)

_____ - 20 or HP = _____ x _____ = _____
HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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_____ - 3 or HP = _____ x _____ = _____
HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
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_____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Government fee for one (1) month extension of time \$120.00

SUBMITTED BY

Signature	Registration No. (Attorney/Agent) 35,124	Telephone 864-250-2238
Name (Print/Type) Charles E. Dunlap, Ph.D., Esq.		Date 11/15/2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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